

From: Nathaniel Smith
To: Microsoft ATR
Date: 1/23/02 9:48pm
Subject: Microsoft Settlement

Dear Sir/Madam:

I am a US Citizen currently resident in Piedmont, California, and am writing to state my displeasure with the proposed Microsoft settlement. While there are many problems with it currently (e.g., I agree with all of the points made by Dan Kegel in his "On the Proposed Final Judgment in United States v. Microsoft", <http://www.kegel.com/remedy/remedy2.html>), I would like to highlight one in particular.

That is the way the proposal neglects to include any remedy with regards to Microsoft Office, or to say anything about document formats. As an academic, consumer, and programmer, I have been increasingly frustrated by the practical necessity to use Microsoft products in order to read papers, view presentations, and generally exchange information with those around me -- Microsoft's monopoly implies that many documents are only viewable using Microsoft's software. There are other programs which attempt to make the content of these files available, but they are extremely hampered (generally to the point of uselessness) by Microsoft's refusal to document the file formats. The settlement should include Microsoft Office in its definition of Middleware (as the definition used by the Finding of Fact does), and apply all the concomitant remedies. Moreover, Microsoft should be required to document its file formats, as otherwise consumers and organizations are forced to continue to use Microsoft Office to maintain compatibility with anyone they wish to exchange documents with, and no competition is introduced into the marketplace. In my personal experience, the use of Microsoft software is frighteningly often a prerequisite to entry in the marketplace of ideas, and the proposal does nothing to remedy this.

There are many problems with the current proposal; as it stands it will not bring relief. I support any changes which favor Microsoft's competitors, and in particular any changes which will increase competition in the office product market -- keeping in mind that in this area, interoperability is a prerequisite to competition.

Thank you for your time.

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